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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/919,425	07/31/2001	Shrikant Jannu	1540 (4000-02000)	4223

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EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2142

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/919,425	Applicant(s) JANNU ET AL.	
	Examiner Douglas B. Blair	Art Unit 2142	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 32-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 32-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 32-34 are currently pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 32-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent Number 6,948,174 to Chiang et al.

4. As to claim 32, Chiang teaches a method for brokering message between middleware systems comprising: communicating a message from a mainframe system in a Cobol Copybook format (col. 10, lines 18-45); mapping the message in Cobol copybook format onto the fields in a structured event format (col. 10, lines 18-45); communicating the message converted from Cobol copybook format to structured event format to a middleware brokering system (col. 10, lines 46-61); communicating a message from a Java based system into a Java message format (col. 10, lines 18-45); mapping the message in the Java format onto the fields in a structured event format to a middleware brokering system (col. 10, lines 18-45); communicating a message from a Java format to the structure event format to the middleware brokering system (col. 10, lines 46-61); communicating a message from CORBA system in a structured event format to the middleware brokering system (col. 10, lines 46-61); using the middleware broker to determine the destination

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for each of the message from the Java, CORBA, and mainframe systems (col. 10, lines 46-61); and directing each of the messages to the appropriate one of the JMS, CORBA, and mainframe systems (col. 10, lines 46-61); however Chiang does not explicitly teach the use of JMS messages with Java.

Chiang teaches the use of numerous software applications and the use of Java, so though not explicitly mentioned Java Message Service format was a well-known way to communicate with applications at the time of the invention.

It would have been obvious to one of ordinary skill in the Computer Networking art at the time of the invention to combine the teachings of Chiang regarding the exchange of data between numerous applications on varying platforms with the use of JMS messages because the various applications discussed by Chiang could include applications that use JMS messages, without departing from the scope of the Chiang invention.

5. As to claim 33, Chiang teaches the method of claim 32 further comprising: converting the messages destined for the mainframe system from the structured event format to Cobol copybook format (col. 12, lines 10-59). For reasons discussed in the rejection of claim 32 it would have been obvious to use JMS messages as well, without departing from the scope of the Chiang invention.

6. As to claim 34, Chiang teaches the method of claim 32, further comprising: registering each of the messages with a publish/subscribe engine (col. 12, lines 10-59); and brokering the messages between the multiple formats based on the messages that the various system have registered to receive (col. 12, lines 10-59).

Response to Arguments

7. Applicant's arguments filed 3/14/2006 have been fully considered but they are not persuasive.

8. The applicant argues that Chiang does not teach the transformation of a JMS message into a structured event format and that it would not have been obvious at the time of the invention to covert a JMS message into a structured event format as asserted by the office. However, this seems to contradict the position that was taken by the applicant in the applicant's remarks filed on 2/25/2005, when the applicant stated:

Specifically, paragraph 4 (Background of the Invention of Applicants' specification) states that message oriented middleware products "can typically send and receive data in the native data formats of the applications they connect, adapters are typically not needed to convert data from the format of the applications to the format of a publish/subscribe engine server as the brokering hub." Applicant submits that the message oriented middleware such as JMS and CORBA are operable to communicate messages in their native formats of JMS and CORBA, respectively. Applicants further submit that the native format of, for example, JMS messages are well known, and therefore, communication with messages in such native formats are well known.

This previous statement appears to support the Examiner's position that the use and communication of JMS message with their native formats is well known.

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9. The applicant further argues that because Chiang teaches the use of a client stub for communications, Chiang is teachings away from the applicant's implementation of middleware. However, the claim language does not limit the applicant's invention to middleware that only operates on the server side. Specifically, the presently claimed method never makes it clear where the communications are coming from on the client side, thus communications from client side stub could be read on the invention as currently claimed.

Conclusion

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas B. Blair whose telephone number is 571-272-3893. The examiner can normally be reached on 8:30am-5pm Mon-Fri.

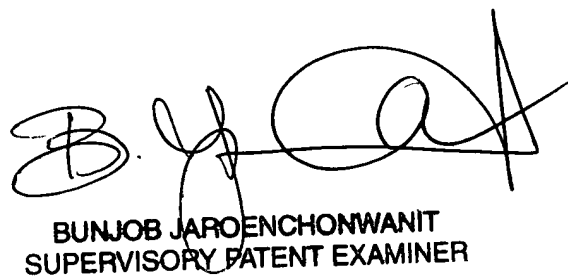
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Caldwell can be reached on 571-272-3868. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Douglas Blair

DBB



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SUPERVISORY PATENT EXAMINER